



The Commonwealth of Massachusetts

Office of Campaign & Political Finance

One Ashburton Place, Boston 02108

727-8352

*Dennis J. Duffin
Director*

April 7, 1988

AO-88-13

Mary J. LeClair
P.O. Box 1173
Mashpee, MA 02649

Dear Ms. LeClair:

This letter is in response to your request for an advisory opinion. You have questioned whether an individual acting on his own and not as part of any campaign committee, political action committee, group, association, or collaborative, would be permitted, at his own expense, to prepare, submit and pay for political advertising in support of a particular candidate. You have stated that such individual has already donated \$1,000.00 to such candidate.

Section 18A states:

"Every individual, group or association not defined as a political committee, who makes an independent expenditure or expenditures in an aggregate amount exceeding one hundred dollars during any calendar year for the purpose of promoting the election or defeat of any candidate or candidates shall file with the director, or with the city or town clerk if such candidate or candidates seek public office at a city or town election, within seven business days after making such independent expenditure or expenditures, on a form prescribed by the director, a report stating the name and address of the individual, group or association making the expenditure or expenditures; the name of the candidate or candidates whose election or defeat the expenditure promoted; the name and address of the person or persons to whom the expenditure or expenditures were made; and the total amount or value; the purpose and the date of the expenditure or expenditures.

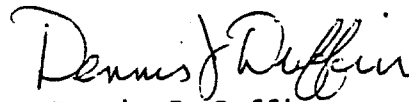
For the purposes of this section the term 'independent expenditure' shall mean an expenditure by an individual, group, or association not defined as a political committee expressly advocating the election or defeat of a clearly identified candidate which is made without cooperation or consultation with any candidate, or a non-elected political committee organized on behalf of a candidate, or any agent of a candidate and which is not made in concert with, or at the request or suggestion of, any candidate, or any non-elected political committee organized on behalf of a candidate or agent of such candidate."

Provided the individual described in your letter meets the requirement of the above-referenced section, such individual would be permitted to make independent expenditures on behalf of a particular candidate. These expenditures, if in the amount of more than \$100, would need to be reported with either this office, or the town or city clerk, as appropriate.

If the individual failed to meet the requirements of section 18A, he would be subject to the limitations on individual contributions imposed by section 7 of M.G.L. c.55.

Should you have additional questions please do not hesitate to contact this office.

Very truly yours,


Dennis J. Duffin
Director

DJD/ba